

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MATTHEW J. BREWER, Personal
Representative of the Heirs and the Estate of
PHILIP TYRONE BREWER; et al.,

Plaintiffs,

v.

DODSON AVIATION; et al.,

Defendants.

No. C04-2189Z

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

The Court, having reviewed the motion for summary judgment by Defendants Dodson Aviation, Inc., and Dodson International Parts, Inc., docket no. 21, Plaintiff's motions to continue or strike the motion for summary judgment, docket nos. 32, 35, and Defendants' response, docket no. 42, HEREBY ORDERS the following:

(1) Plaintiff's motion to continue the motion for summary judgment for additional discovery pursuant to FED. R. CIV. P. 56(f), docket no. 32, is GRANTED. The Court hereby RE-NOTES Defendants' motion for summary judgment, docket no. 21, to Friday, March 31, 2006. The parties shall complete the briefing as to Defendants' motion for summary judgment in accordance with Local Rule 7(d)(3).

(2) Plaintiff's motion to strike for failure to determine choice of law, docket no. 35, is GRANTED IN PART, DENIED IN PART. Pursuant to FED. R. CIV. P. 44.1, any party in this matter intending to raise an issue concerning the application of the law of a jurisdiction other than Washington State shall file notice with the Court not later than February 9, 2006. Should a choice of law dispute arise, the Court will set a briefing schedule on any conflict of law issue.

1 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
2 record.

3 Filed and entered this 13th day of December, 2005.

4 BRUCE RIFKIN, Clerk

5 s/ Casey Condon
6 By _____
7 Casey Condon
8 Deputy Clerk
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